

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAYMOND WALTON,	)	CIV F 05 0219 AWI SMS P
)	
Plaintiff,	)	SECOND ORDER TO SUBMIT NEW
	)	APPLICATION TO PROCEED IN
vs.	)	FORMA PAUPERIS AND CERTIFIED
	)	COPY OF TRUST ACCOUNT
T. VO, M.D., et al.,	)	STATEMENT OR PAY FILING FEE
)	
Defendants.	)	CLERK ORDERED TO SERVE
	)	PLAINTIFF WITH TWO COPIES OF
	)	THIS ORDER TOGETHER WITH A
	)	BLANK APPLICATION TO PROCEED
	)	IN FORMA PAUPERIS

Plaintiff is a state prisoner proceeding pro se in a civil rights action pursuant to 42 U.S.C. § 1983. On March 22, 2005, the court ordered plaintiff to submit an application to proceed in forma pauperis or pay the \$250.00 filing fee.¹ On March 30, 2005 and on April 11, 2005, plaintiff submitted applications to proceed in forma pauperis. However, plaintiff's applications to proceed in forma pauperis did not include the required original signature by an

¹ Effective February 7, 2005, the statutory filing fee for all civil actions except applications for writs of habeas corpus is \$250.00. 28 U.S.C. § 1914(a).

1 authorized officer of the institution of incarceration. Additionally, plaintiff has not submitted a
2 certified copy of his prison trust account statement for the six month period immediately
3 preceding the filing of the complaint. See 28 U.S.C. § 1915.

4 Plaintiff will be provided an additional opportunity to comply with the court's order to
5 submit a new application to proceed in forma pauperis and a certified copy of his trust account
6 statement, **or** to pay the \$250.00 filing fee.

7 It is ultimately plaintiff's responsibility to comply with the court's order by following
8 institutional procedures or otherwise assuring that the court receives the required documents or
9 the filing fee. Plaintiff is directed to provide a copy of this order to the prison trust office.

10 Accordingly, IT IS HEREBY ORDERED that:

11 1. The Clerk's Office shall send to plaintiff the form for application to proceed in
12 forma pauperis, and two copies of this order. Plaintiff is to provide one copy to the prison trust
13 office.

14 2. Within thirty days of the date of service of this order, plaintiff shall submit a
15 completed application to proceed in forma pauperis and an original certified copy of his prison
16 trust account statement for the six month period immediately preceding the filing of the
17 complaint, or in the alternative, pay the \$250.00 filing fee for this action.

18 Failure to comply with this order will result in a recommendation that this action be
19 dismissed.

20
21 IT IS SO ORDERED.

22 **Dated: May 11, 2005**
23 b6edp0

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE